

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Baltimore County, Maryland

In the Matter of

Civil Citation No.06900

Donald A. Albright Jr.  
Kim D. Albright  
1534 Galena Road  
Baltimore, MD 21221

11 Marlyn Avenue

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on May 27, 2009, for a hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 410; Baltimore County Code (BCC) section 32-3-102, 500.9 BCZR; ZCPM (site plan) (BCC) section 13-7-310, 13-7-312, failure to clean property of all trash and debris, failure to remove all storage containers from property on residential property zoned BL known as 11 Marlyn Avenue, 21221

On April 13, 2009, pursuant to §3-6-205, Baltimore County Code, Inspector Chip Raynor issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$2,000.00 (two thousand dollars).

The following persons appeared for the Hearing and testified: the Respondent, Donald Albright and Chip Raynor, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. This Citation was issued on April 13, 2009. At this Hearing, Inspector Raynor testified that all violations have been corrected except for the improper storage containers.

B. No Correction Notice was issued prior to the Citation. Notes in the file indicate that Respondent was issued a Citation for a similar violation in 2004, improper placement of storage containers without zoning for class II trucking facility. This does not meet the repeat offender criteria adopted by the Department for issuance of a Citation without prior Correction Notice. See Baltimore County Code Section 3-6-205.

IT IS ORDERED by the Code Enforcement Hearing Officer that the Citation is DISMISSED.

ORDERED this 1<sup>st</sup> day of June 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

**NOTICE TO RESPONDENT:** The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.